

AAdministrative
Services
Letter

07-02
Anti-Nepotism Policy



Signed By	Marie Stephans, Chief Administrative Services Division	Number	07-02
Distribution	All Employees	Date Issued	June 27, 2007
Subject	Anti-Nepotism Policy	Expires	When Canceled
Guide Section	Human Resources	Reference	California Code of Regulations Section 7292.5; Government Code Sections 12940(a)(3), 18500; Cancels ASL 90-02

The Air Resources Board (ARB) operates under a policy of equal opportunity in employment. The ARB Anti-Nepotism Policy is designed to assist in the accomplishment of this purpose by reinforcing management's commitment to fair and impartial employee selection, supervision and evaluation and to create a fair and merit-based employment environment.

Questions regarding the [ARB Anti-Nepotism Policy](#) should be directed to your assigned Human Resources Analyst listed in the [Directory of Administrative Services](#).

AIR RESOURCES BOARD

ANTI-NEPOTISM POLICY

It is the policy of the State of California and the Air Resources Board (ARB) to prohibit nepotism. This policy is established to reinforce management's commitment to fair and impartial employee selection, supervision and evaluation.

Nepotism is generally defined as the practice of an employee using personal influence or power to aid or hinder another in an employment setting in securing employment, promotion or other benefits because of a personal relationship. No employee may use power or influence to aid or hinder another in securing employment, promotion or any other benefit of employment due to a personal relationship. Personal relationships include, but are not limited to, those by virtue of blood, marriage, adoption, or cohabitation.

ARB employees associated by blood, marriage, adoption or cohabitation shall not:

- 1) Work in a small unit in close association with one another;
- 2) Work for the same supervisor; or
- 3) Have a direct or indirect supervisor/subordinate relationship.

This policy applies to all categories of employees (full-time, part-time, permanent intermittent, retired annuitant, temporary, student, limited-term appointment and consultant).

Supervisors and managers should be aware of potentially sensitive situations involving personal relationships within their area of responsibility. It is unlawful to discriminate on the basis of marital status or personal relationship. However, supervisors and managers may reasonably regulate the work situation of individuals in relationships outlined above for bona fide business reasons of supervision, safety, security, and/or morale.

ARB recognizes there may be situations where two individuals who have a personal relationship may appropriately be allowed to work in the same program, Branch or Division without adverse impact. The Human Resources Branch Chief must be notified when:

- 1) The work of employees in a Branch, or the fair and impartial supervision and evaluation of employees has been adversely affected by a personal relationship.
- 2) Nepotism concerns arise as a result of changed circumstances after hiring (e.g., marriage).

When situations arise that have, or could be perceived as having, adverse impact on the work of the unit or the employees, the safety and morale of the employees, or the fair and impartial supervision and evaluation of employees, the issue of nepotism may be negated by the reassignment of one of the two affected employees. If necessary, the Human Resources Branch Chief will contact the Division Chief of the impacted program to identify and discuss an acceptable remedy.

Exceptions to the Anti-Nepotism Policy may be appropriate based upon merit principles and/or recruitment difficulty. When consideration is being given to employment of an individual, or to continue employment of an individual, in a position that would create a violation of the Anti-Nepotism Policy, a written justification and request for exception must be prepared by the impacted Division Chief and submitted to the Human Resources Branch Chief for review. Upon completion of review by the Human Resources Branch Chief, the request will be submitted to the Administrative Services Division Chief who has sole authority to approve exceptions to the ARB Anti-Nepotism Policy on a case-by-case basis.

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